

MARICOPA COUNTY AIR QUALITY DEPARTMENT

IN THE MATTER OF:

Simula, Inc.; Simula Aerospace &
Defense Group, Inc.; Simula
Polymer Systems, Inc.; and Simula
Technologies, Inc.

Defendant.

**ORDER OF ABATEMENT
NO. 2006-001**

The Control Officer has reasonable cause to believe, and finds that Simula, Inc.; Simula Aerospace & Defense Group, Inc; Simula Polymer Systems, Inc. and Simula Technologies, Inc. (hereinafter collectively "Simula") is in violation of the following provisions of the Arizona Revised Statutes and the Air Pollution Control Regulations of Maricopa County:

1. Operating a source of air pollution without a permit at 7822 S. 46th St., Phoenix, Arizona in violation of A.R.S. § 49-480C.

Upon adoption of a permit program by the board of supervisors pursuant to this section, no person may begin actual construction, operate or make a modification to any source subject to the permit program without complying with the requirements of that program.

And Air Pollution Control Regulation II, Rule 200, Section 301.

Except as otherwise provided in these rules, no person shall commence construction of, operate, or make a modification to any source subject to

regulation under this rule, without first obtaining a permit or permit revision from the Control Officer.

2. Operating a source of air pollution without a permit at 10016

S. 51st St. Phoenix, Arizona in violation of A.R.S. § 49-480C.

Upon adoption of a permit program by the board of supervisors pursuant to this section, no person may begin actual construction, operate or make a modification to any source subject to the permit program without complying with the requirements of that program.

And Air Pollution Control Regulation II, Rule 200, Section 301.

Except as otherwise provided in these rules, no person shall commence construction of, operate, or make a modification to any source subject to regulation under this rule, without first obtaining a permit or permit revision from the Control Officer.

3. Failing to submit an annual emission inventory report for 2004 for the facility located at 7822 S. 46th St. Phoenix, Arizona after Simula had been requested to do so by the Control Officer in violation of Air Pollution Control Regulation I, Rule 100, Section 505.

Upon request of the Control Officer and as directed by the Control Officer, the owner and/or operator of a business shall complete and shall submit to the Control Officer an annual emissions inventory report. The report is due by April 30, or 90 days after the Control Officer makes the inventory form(s) available, whichever occurs later. These requirements apply whether or not a permit has been issued and whether or not a permit application has been filed.

4. Failing to submit an annual emission inventory report for 2005 for the facility located at 7822 S. 46th St., Phoenix, Arizona after Simula had been requested to do so by the Control Officer in violation of Air Pollution Control Regulation I, Rule 100, Section 505.

Upon request of the Control Officer and as directed by the Control Officer, the owner and/or operator of a business shall complete and shall submit to the Control Officer an annual emissions inventory report. The report is due by April 30, or 90 days after the Control Officer makes the inventory form(s) available, whichever occurs later. These requirements apply whether or not a permit has been issued and whether or not a permit application has been filed.

WHEREFORE, pursuant to the authority granted in A.R.S. § 49-511 Simula it is ordered:

A. To submit a complete permit application for its facility located at 7822 S. 46th Street, Phoenix, Arizona 85044, within 30 days of the date of this Order.

B. Promptly respond to all requests for additional information relating to the permit application for its facility located at 7822 S. 46th Street, Phoenix, Arizona 85044 once an application is submitted.

~~C. To submit a complete permit application for its facility located~~
at 10016 S. 51st Street, Phoenix, Arizona 85044, within 30 days of the date of this Order.

D. Promptly respond to all requests for additional information relating to the permit application for its facility located at 10016 S. 51st Street, Phoenix, Arizona 85044 once an application is submitted.

E. Submit an annual emission inventory report for 2004 for its facility located at 7822 S. 46th St., Phoenix, Arizona within 14 days of this Order.

F. Submit an annual emission inventory report for 2005 for its facility located at 7822 S. 46th St., Phoenix, Arizona within 14 days of this Order.

G. If a complete permit application is not submitted for the facility located at 7822 S. 46th, St Phoenix, Arizona within 30 days of this Order Simula shall cease operation of the facility.

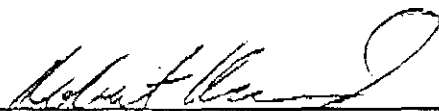
H. If a complete permit application is not submitted for the facility located at 10016 S. 51st, St Phoenix, Arizona within 30 days of this Order, Simula shall cease operation of the facility.

The duration of this Order shall be one year or until the Order is fully complied with whichever is sooner. This Order is in addition to and shall in no way limit the Control Officers ability to seek civil penalties for the violations pursuant to A.R.S. § 49-513. Each day the facilities listed above operate without a valid air quality permit is a separate violation subject to potential civil penalty of up to \$10,000.

Simula is entitled to a hearing before the Hearing Board regarding this Order if the hearing is requested in writing within 30 days after the date of issuance of the Order.

ORDERED this 13th day of November 2006.

ROBERT KARD
CONTROL OFFICER,
MARICOPA COUNTY
AIR QUALITY DEPARTMENT



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